Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes January 8, 2010

A meeting of the Planning Commission of the City of Saint Paul was held Friday, January 8, 2010 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Mmes. Donnelly-Cohen, Faricy, Morton, Porter, Smitten, Thao, Wencl; and

Present: Messrs. Alton, Commers, Goodlow, Johnson, Kramer, Margulies, Nelson,

Schertler, Spaulding, Ward, and Wickiser.

Commissioners

Absent:

Ms. *Lu, and Mr. *Gordon

*Excused

Also Present: Donna Drummond, Planning Director; Cecile Bedor, Department Director;

Patricia James, Luis Pereira, Josh Williams, Sarah Zorn and Sonja Butler,

Department of Planning and Economic Development staff.

I. Approval of minutes December 18, 2009.

<u>MOTION</u>: Commissioner Johnson moved approval of the minutes of December 18, 2009. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Alton had no announcements.

III. Planning Director's Announcements

Donna Drummond reported that on Wednesday, December 23rd at City Council the Design Standards Zoning amendments were adopted and the District 4 Plan Summary was also adopted.

On Wednesday, January 6, 2010 the City Council had a public hearing on proposed assessments for streetscape improvements on University Avenue and downtown for the Central Corridor LRT project. About twenty five (25) people spoke at the hearing. There was general opposition to this potential new tax so the City Council laid it over to January 20th and asked staff to look at the cost of potentially delaying the assessments until after LRT construction is completed.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

None.

NEW BUSINESS

#09-425-531 Eastern Heights Amoco – Conditional Use Permit for auto convenience market with accessory car wash. 1770 Old Hudson Road, SW corner at White Bear Avenue. (*Luis Pereira*, 651/266-6591)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#09-425-707 Carl Hanson – Conditional Use Permit for outdoor used auto sales. 605 Como Avenue, SE corner at Front. (*Josh Williams*, 651/266-6659)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#09-424-870 Greg Brendemuehl – Re-establishment of legal nonconforming use as a 4-plex. 267 Front Avenue, between Matilda & Galtier. (*Sara Zorn*, 651/266-6570)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the establishment of legal nonconforming use of two (2) units.

Commissioner Kramer said that he was not sure that the Zoning Committee's decision is the best decision. The applicant proposes to purchase the property and wants to homestead the property. The applicant is interested in doing the necessary rehabilitation to bring it up to standards, but only two units will not work. So if it is approved as a duplex, nothing is going to happen. The community council organizer testified that if nothing happens, the building will deteriorate and eventually be torn down. That is not the right solution when there is someone willing to make a significant investment and has agreed to a condition on the permit that one of the units is owner-occupied. Commissioner Kramer pointed out that every single one of the surrounding neighbors signed the nonconforming use petition for a 4-plex, and there was absolutely no testimony from anyone adjacent to the property or within the notice area that was opposed to the permit. The community council's decision was made through email and the applicant did not have an opportunity to talk to the community council. He thinks this case should be returned back to the Zoning Committee to see if there is some way to figure out how to allow rehabilitation of the property that respects the neighborhood.

Chair Alton noted a packet of materials submitted to the Planning Commission that appears to be information that was not in front of the Zoning Committee, which also may be a basis for referring it back to the Zoning Committee.

Commissioner Johnson said that he has given this some consideration and perhaps sending it back for reconsideration would be appropriate in light of the special circumstances.

MOTION: Commissioner Kramer moved to continue this matter and refer the case back to the Zoning Committee for further public hearing with the condition that the applicant waives the

time requirements of Section 15.99. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

#09-511-754 Kim Nguyen – Re-establishment of legal nonconforming use as a duplex. 1784 Lafond Avenue, between Wheeler & Fairview. (Sarah Zorn, 651/266-6570)

Upon a question from Commissioner Thao, Commissioner Morton stated that the applicant is the most recent owner.

There was discussion about work done on the property without building permits and the number of summary abatements done by city staff.

There was discussion about a request from the Hamline-Midway Coalition requesting a layover.

Commissioner Morton said that the Zoning Committee felt that they had the information they needed to make a decision.

Commissioner Commers stated that the Community Council and Early Notification subscribers were notified shortly after the application was received in early December, and the hearing was held 3 ½ weeks later, which is enough time to have met and made some decisions about the application.

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the establishment of legal nonconforming use status subject to additional conditions. The motion carried unanimously on a voice vote.

#09-423-996 Walgreens/Big Top Midway Center – Conditional Use Permit for drive through sales and service for a pharmacy. 1460 University Avenue West, SE corner of Snelling at Shields. (Sarah Zorn, 651/255-6570)

There was discussion about the future for this type of use along the Central Corridor.

Donna Drummond, Planning Director, added that this is a transition period, and the staff is working right now on some proposed recommendations for changes to the zoning code. These changes will lead to revised regulations for the areas around LRT stations. One of the uses being internally debated is whether drive through services are appropriate near LRT stations.

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit. The motion carried unanimously on a voice vote.

Commissioner Morton announced the items on the agenda for the next Zoning Committee meeting on Thursday, January 14, 2010.

V. Comprehensive Planning Committee

Chair Donnelly-Cohen had no report.

VI. Neighborhood and Current Planning Committee

Chair Wencl reported that the January 13th meeting has been cancelled.

VII. <u>Energy Innovation Corridor</u> – Guest presentation by John I. Marshall, Manager, Community & Local Government Relations at Xcel Energy.

Mr. John Marshall, Manager of Community & Local Government Relations at Xcel Energy, provided some background information about himself. He introduced a colleague who was attending with him, Ms. Laura McCarten, Regional Vice President at Excel Energy. Mr. Marshall gave a power point presentation on the Energy Innovation Corridor initiative. He said that Xcel Energy serves eight (8) states, and they are broken up into a couple of operating entities. One that is very large is called NSP Minnesota. The service territories include Minnesota, North and South Dakota. Mr. Marshall talked about the intention of the Energy Innovation Corridor, which is to develop a first-of-its-kind clean energy and transportation model in an established urban center in the Upper Midwest. The intent is to create an innovative showcase along Central Corridor Light Rail Transit line.

He said that over the last two (2) years an exciting collaborative of partners developed this vision. They received supportive legislative and regulatory leadership, because the state appreciates the collaborative vision of the partnership and what it's intending to create. Mr. Marshall talked about who the partners are and their roles. He showed a diagram of the show case area, which is the area within ½ mile of the proposed Central Corridor LRT right-of-way. He explained the four key areas of the Energy Innovation Corridor: renewable energy, energy efficiency, smart technologies and transportation. These are four very different but related initiatives; some are very visible and tangible and quickly understandable, and others are not. But the ones that are not visible and tangible make the most amount of difference and impact in energy savings.

Commissioner Schertler asked about the University of Minnesota's involvement in defining metrics. What are the outcomes you are trying to accomplish, is it cost efficiency, energy efficiency?

John Marshall said that one of the biggest challenges is to define the metrics that will be used to measure progress. The goals are being developed by the collaborative, and Xcel is one member of this collaborative. The first goal is to achieve 50% higher levels of energy efficiency. In terms of renewable energy, supplied or generated within the corridor, they are hoping to achieve 9.5 GWh. He said they have talked about goals for carbon emissions and jobs. The University of Minnesota is continuing to figure out how to take these bulk metrics of consumption and generation and translate them into different formats that are understandable for people. This is very complex and technical, and if you get too detailed you will lose what you're trying to explain.

Commissioner Ward said in terms of community involvement, in his experience people with low incomes are always concerned about money, energy and how they can spend less. What is Xcel going to do along the that 11 mile stretch on University Avenue where a lot of these neighborhoods are filled with people from multiple cultures? How can you get the information out there when the people talking to them only speak English?

Mr. Marshall said that in Saint Paul particularly that stretch of the corridor is intensely diverse

and not just from an ethnicity stand point, but also from a housing stock stand point, and with small businesses, large businesses, etc. On the upside, Saint Paul has a very comprehensive community base, be it the CDCs, the District Councils, and so forth. Each specific area is different and it is going to take a lot of hands on work and understanding and tailoring the message for the different audiences.

Commissioner Spaulding asked about the energy efficiency benefits of density, because larger buildings are inherently much more energy efficient. He asked whether there has been an attempt to quantify that along the corridor to demonstrate some of the benefits of increased density. There is a resistance to density in some communities and this would be another way to demonstrate the benefits of density.

Mr. Marshall said that BOMA international had done some studies, and Matt Anfang brought them into a meeting a couple of months back. IBM is doing a marketing piece called Build a Smarter Planet. But specific conversations about this topic haven't come up as part of the Energy Innovation Corridor, but could in the future. Meetings of the partners are strongly attended and everyone is really engaged in working to advance these concepts. Maybe some of these types of topics will be addressed in this forum in the future.

Commissioner Porter asked about the creation of local jobs and any efforts to connect communities of color with the job opportunities that are coming out of these efforts, such as the Home Energy Squad.

Mr. Marshall said in regards to the job creation, measuring jobs impact has been one of the tougher areas the subgroup working on metrics has tried to address. In terms of the Home Energy Squad and people of color, he is not certain. The NEC is the actual non-profit located at Dale and Selby that is implementing this program. He assumes that since they are a non-profit funded by public grants that there are certain strings tied to those dollars that require equal opportunity policies. In concluding, he pointed out their web site: www.energyinnovationcorridor.com, which includes more details on what he covered in his presentation.

VIII. Communications Committee

Commissioner Smitten reported that the Communications Committee is starting to work on the annual report.

IX. Task Force Reports

Commissioner Faricy announced that there will be a Ford Task Force meeting on Monday, January 11, 2010 from 7:00 – 8:45 p.m. at the Hillcrest Recreation Center in the community room, 1970 Ford Parkway. There will be two topics, one is the report on the Green Manufacturing Study for the site and the second is planning for open space as part of a potential site redevelopment.

Commissioner Thao announced the Western, Hamline, Victoria Station Area Planning Steering Committee will be meeting on Wednesday, January 27th from 4:00 – 6:00 p.m. at the Central Corridor Resource Center.

Χ.	Old Business	
	None.	
XI.	New Business	
	None.	
XII.	Adjournment	
	Meeting adjourned at 9:55 a.m.	
Recorded and prepared by Sonja Butler, Planning Commission Secretary		
Planni	Planning and Economic Development Department, City of Saint Paul	
•		
Respectfully submitted,		Approved(Date)
Donna	Drummond	Marilyn Porter
Planning Director		Secretary of the Planning Commission

Butler\planning commission\January 8, 2010